

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2021

C O R A M

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN
C.R.P No.2142 of 2020

Roshan Alikhan

..Petitioner/Third Party

Vs.

1. Kaleelur Rahman,
2. S. Abdul Saleem,
3. S. Kadar,

...Respondents/Applicants

4. The Tamil Nadu Waqf Board,
Rep. by its Chairman,
No.1, Jafar Sirang Street,
Vallal Seethakathi Nagar, Chennai- 1

5. The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jafar Sirang Street,
Vallal Seethakathi Nagar, Chennai- 1.

6. M. Syed Salavutheen,
7. S. Sheik Mydeen,
8. M. Sha Mohamed Athikullah,
9. The Tamil Nadu Waqf Tribunal, Chennai

...Respondents/Respondents

Prayer: This Civil Revision Petition filed under Article 227 of the Constitution of India praying to issue a direction directing the Tamilnadu Waqf Tribunal, Chennai to number the Interlocutory Application in I.A.No.Sr.No.684/2020 in OA 310/2019 on the file of the Tamilnadu Waqf Tribunal and to take the application on its file.

For Petitioner ... Mr.M. Ganesh
For Respondents ... No appearance

O R D E R

The Civil Revision Petition has been filed praying to direct the Tamilnadu Waqf Tribunal, Chennai to number the Interlocutory Application in I.A.No.Sr.No.684/2020 in O.A. No.310 of 2019 on the file of the Tamilnadu Waqf Tribunal, Chennai and to take the application on its file.

2. The case of the petitioner is that the petitioner herein has filed Interim Application in I.A.Sr.No.684 of 2020 under Order 39 Rule 1 & 2 on the file of the Tamilnadu Waqf Tribunal, Chennai, (hereinafter referred to as "Tribunal") to grant stay until final orders to be passed in Original Application No.310 of 2019 since the respondents 3,4,5 in O.A.No.310 of 2019, namely (1) M. Syed Salavutheen (2) S. Sheik Mydeen, (3). M. Sha Mohamed Athikullah, have been appointed as Administrative members on 01.08.2018 even though they are acting against the welfare of the said Board. The said I.A. was returned by the Tribunal stating the reason that since the entire case records have been sent to the Registrar, (Vigilance) High Court, Chennai, without verifying cause title, it could not be numbered. Hence, this Civil Revision Petition.

3. When the matter was listed on 07.01.2021, this Court by order dated 07.01.2021, directed the Registry to verify whether any such records have been received by the Registrar, (Vigilance), High Court, and if it is available with the Registrar, (Vigilance), to put up the same along with this Civil Revision Petition and posted the matter on 18.01.2021.

4. When the matter came up today, a letter in ROC No.321/2020/VC dated 18.01.2021 from the Registrar, (Vigilance) addressed to the Registrar, Judicial, has been produced before this Court stating that the entire case records in O.A. No.310 of 2019 on the file of the Tamil Nadu Waqf Tribunal, Chennai had been called for from the Court concerned for the purpose of Vigilance enquiry and the same have been returned on 31.12.2020. A copy of the acknowledgement of records for having received from the Tribunal, is also enclosed herewith.

5. Recording the aforesaid letter and acknowledgement and considering the facts and circumstances of the case, the Tamilnadu Waqf Tribunal is directed to number the Interim Application in I.A.Sr.No.684 of 2020 in O.A.No.310 of 2019, if it is otherwise in order, after taking on its file and pass appropriate orders in accordance with law as expeditiously as possible.

6. With the above directions, the Civil Revision petition is disposed of. Consequently, connected miscellaneous petition is closed if any. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Lbm

Copy to:

The Tamil Nadu Waqf Tribunal,
Chennai

+1cc to Mr.M.Ganesh, Advocate, S.R.No.2670

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SR(CO)
KKV/23/02/2021



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